

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF MISSISSIPPI**

<b>IN RE: DEMONTE MARKEL SPIVEY,</b>	)	<b>CASE NO. 20-00533-NPO</b>
<b>DEBTOR</b>	)	<b>CHAPTER 13</b>
	)	
<b>DEMONTE MARKEL SPIVEY</b>	)	<b>PLAINTIFF</b>
	)	
<b>VS.</b>	)	<b>ADV. PROC. NO. 20-00013-NPO</b>
	)	
<b>JERRY'S AUTO SALES</b>	)	<b>DEFENDANT</b>

**MOTION FOR DEFAULT JUDGEMENT  
(AND FOR ASSESSMENT OF DAMAGES)**

COMES NOW Demonte Markel Spivey, the Plaintiff by and through counsel, and moves for rendition and entry of a Default Judgment and in support thereof, would show this Court as follows:

1. That on or about February 18, 2020, the Defendant, Jerry's Auto Sales, was served through Mail Service.
2. That on or about 4/27/2020, Plaintiff applied for Entry of Default.
3. That on or about 4/27/2020, an Entry of Default was entered by the Clerk.
4. That Plaintiff is entitled to a judgment in the amount of \$1,500.00 in attorney fees.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully moves this Court to render a Default Judgment in favor of the Plaintiff in the amount of \$1,500.00 in attorney's fees. Plaintiff further requests any additional relief, general or specific to which she may be entitled. .

Respectfully Submitted,  
Demonte Markel Spivey  
Plaintiff

/s/ Thomas C. Rollins, Jr.  
Thomas C. Rollins, Jr.  
Attorney for Plaintiff

Prepared by:  
Thomas C. Rollins, Jr. (MSB # 103469)  
The Rollins Law Firm, PLLC  
774 Avery Blvd. North  
Ridgeland, MS 39157  
601.600.5533

### **CERTIFICATE OF SERVICE**

I, Thomas C. Rollins, Jr., Attorney for the Plaintiff, do hereby certify that I have mailed, by United States Mail, regular mail, postage prepaid, or electronically submitted, a true and correct copy of the Motion for Default Judgment on the day and year hereinafter set forth to the following:

Jerry's Auto Sales  
850 MS-35  
Forest, MS 39074

James L. Henley  
jhenley@jlhenley13.com

United States Trustee  
USTPRegion05.JA.ECF@usdoj.gov

SO CERTIFIED this 28th day of April, 2020.

/s/ Thomas C. Rollins, Jr.  
Thomas C. Rollins, Jr.

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: DEMONTE MARKEL SPIVEY

DEMONTE MARKEL SPIVEY,

v.

JERRY'S AUTO SALES

CASE NO: 20-00533

ADVERSARY CASE NO: 20-00013

**CERTIFICATE OF SERVICE  
DECLARATION OF MAILING**

Chapter: 13

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On 4/28/2020, I did cause a copy of the following documents, described below,  
MOTION FOR DEFAULT JUDGEMENT (AND FOR ASSESSMENT OF DAMAGES)

to be served for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

I caused these documents to be served by utilizing the services of BK Attorney Services, LLC d/b/a certificateofservice.com, a Administrative Office of the United States Bankruptcy Courts, Approved Notice Provider. A copy of the declaration of service is attached hereto and incorporated as if fully set forth herein.

DATED: 4/28/2020

/s/ Thomas C. Rollins, Jr.  
Thomas C. Rollins, Jr. 103469  
The Rollins Law Firm  
774 Avery Blvd N  
Ridgeland, MS 39157  
601 500 5533

UNITED STATES BANKRUPTCY COURT  
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**CERTIFICATE OF SERVICE**

Chapter: 13

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On 4/28/2020, a copy of the following documents, described below,  
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were deposited for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

The undersigned does hereby declare under penalty of perjury of the laws of the United States that I have served the above referenced document(s) on the mailing list attached hereto in the manner shown and prepared the Certificate of Service and that it is true and correct to the best of my knowledge, information, and belief.

DATED: 4/28/2020



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/s/ Jay S Jump  
BK Attorney Services, LLC  
d/b/a certificateofservice.com, for  
Thomas C. Rollins, Jr.  
The Rollins Law Firm  
774 Avery Blvd N  
Ridgeland, MS 39157

PARTIES DESIGNATED AS "EXCLUDE" WERE NOT SERVED VIA USPS FIRST CLASS MAIL

PARTIES WITH A '+' AND DESIGNATED AS "CM/ECF E-SERVICE" RECEIVED ELECTRONIC NOTICE THROUGH THE CM/ECF SYSTEM

FIRST CLASS

JERRY'S AUTO SALES

850 MS-35

FOREST MS 39074